

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

SAMUEL M. RUPP,)	
Petitioner,)	
)	
v.)	Civil Action No. 11-772
)	
)	
ARMSTRONG COUNTY D.A., et al.,)	
Respondents.)	

O R D E R

AND NOW, this 23rd day of August, 2011, after the petitioner, Samuel M. Rupp, submitted a petition for a writ of habeas corpus without payment of the filing fee or submission of a motion to proceed in forma pauperis, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the petitioner a period of time after being served with a copy to file written objections thereto, and no objections having been filed, and upon independent review of the petition and upon consideration of the Magistrate Judge's Report and Recommendation (Docket No. 3), which is adopted as the opinion of this Court,

IT IS ORDERED that the petition for a writ of habeas corpus submitted by petitioner Samuel M. Rupp (Docket No. 1) is dismissed for petitioner's failure to prosecute.

IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure if the petitioner desires to appeal from this Order he must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed. R. App. P.

s/ Arthur J. Schwab
Arthur J. Schwab
United States District Judge